



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Adam J. Katz et al.  
Serial No.: 10/797,371  
Filed: MARCH 9, 2004  
Docket: 30448.77USD1  
Title: ADIPOSE-DERIVED STEM CELLS AND LATTICES

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CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 25, 2004.

By:   
Name: Tracy Truick

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

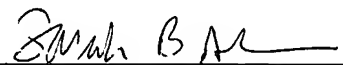
Sir:

We are transmitting herewith the attached:

- ☒ Transmittal sheet, in duplicate, containing Certificate under 37 CFR 1.8.
- ☒ Information Disclosure Statement (37 C.F.R. §1.97 (b)(3))
- ☒ Form 1449 (Information Disclosure Statement) (1 sheet)
- ☒ Exhibit 74
- ☒ Return postcard

Please charge any additional fees or credit overpayment to Deposit Account No. 50-0306. A duplicate of this sheet is enclosed.

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By:   
Name: Sarah B. Adriano  
Reg. No.: 34,470  
Initials: SBA



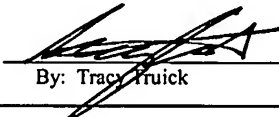
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant:** Adam J. Katz et al. **Examiner:** Not Yet Known  
**Serial No.:** 10/797,371 **Group Art Unit:** 1636  
**Filed:** MARCH 9, 2004 **Docket No.:** 30448.77USD1  
**Title:** ADIPOSE-DERIVED STEM CELLS AND LATTICES

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By: Tracy Huick

**INFORMATION DISCLOSURE STATEMENT**  
**(37 C.F.R. §1.97(b)(3))**

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. They are as follows:

- U.S. Publication No. US 2004/0067218 A1, published April 8, 2004, Casteilla et al  
(Exhibit 74)

This statement should be considered because it is submitted before the mailing date of the first Office Action on the merits according to 37 C.F.R. §1.97(b)(3). In accordance with 37 C.F.R. §1.98(a)(2), a copy of Exhibit 74 listed on the enclosed Form 1449 are provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that the references have been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

No fee is deemed necessary in connection with the filing of this Information Disclosure Statement. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 50-0306.

Respectfully submitted,

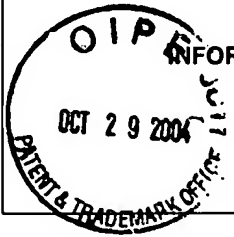


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10/797,371

1642

(Use several sheets if necessary)



EXAMINER  
INITIAL

FILING DATE  
IF APPROPRIATE

TRANSLATION

**NO**

\*Substitute Disclosure Statement Form (PTO-1449) Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE